

NOTICE OF DETERMINATION
California Environmental Quality Act (CEQA)

**ENDORSED
FILED
ALAMEDA COUNTY**

DATE: June 22, 2011

TO: Alameda County Clerk
1106 Madison Street
Oakland, CA 94612

JUN 22 2011
PATRICK O'CONNELL, County Clerk
By  Deputy

Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044

FROM: City of Oakland
Community and Economic Development Agency, Planning and Zoning Division
250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code

PROJECT TITLE: Amendment to Oakland Zoo Master Plan (case file no. CM09-085; CP09-078; ER09-005)	
STATE CLEARINGHOUSE NUMBER: 2011022042	
CONTACT PERSON: Darin Ranelletti, Planner III	TELEPHONE NUMBER: (510) 238-3663
PROJECT LOCATION: 9777 Golf Links Road (Knowland Park; APN 048-5655-003-00 & 048-6162-001-10)	
PROJECT DESCRIPTION: Amendment to the previously approved 1998 Master Plan for the Oakland Zoo to, among other changes, modify and reduce the expansion area for the new California exhibit from approximately 62 acres to approximately 56 acres, replace the previously approved loop road and shuttle bus system with an electric aerial gondola system, replace the existing veterinary hospital with a new Veterinary Medical Hospital, establish a new overnight camping area near the new California exhibit, and establish the specific location of the proposed perimeter fence with modifications from the previously approved general location.	

This Notice of Determination advises that on June 21, 2011, the Oakland City Council adopted the CEQA-related findings of the City Planning Commission (see below) and denied the appeal of the Planning Commission's approval of the land use permits and the appeal of the Parks and Recreation Advisory Commission's approval of the tree removal permit thereby approving the land use permits for the project and the tree removal permit for phase one of the project, as well as the Master Plan amendment itself.

On April 27, 2011, the Oakland Planning Commission, acting as Lead Agency for the City of Oakland, adopted/approved a Subsequent Mitigated Negative Declaration/Addendum for the project and approved the land use permits (conditional use permit and creek protection permit) for the project.

The Planning Commission found that:

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration was previously adopted in 1998 for the project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the project and a standard conditions of approval/mitigation monitoring and reporting program (SCAMMRP) was adopted.
4. The 1998 Mitigated Negative Declaration, the Subsequent Mitigated Negative Declaration/Addendum, and the record of project approval may be examined at: Community and Economic Development Division, Planning and Zoning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA, 94612, (510) 238-3941.

In addition, the Planning Commission found, on the basis of substantial evidence in the record, that none of the circumstances

necessitating preparation of additional CEQA review as specified in CEQA and the CEQA Guidelines, including without limitation Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163, are present in that (1) there are no substantial changes to the project that would result in new significant environmental impacts or a substantial increase in the severity of impacts already identified in the 1998 Mitigate Negative Declaration (MND); (2) there are no substantial changes in circumstances that would result in new significant environmental impacts or a substantial increase in the severity of impacts already identified in the 1998 MND; and (3) there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the 1998 MND was adopted, which is expected to result in (a) new significant environmental effects or a substantial increase in the severity of environmental effects already identified in the 1998 MND or (b) mitigation measures which were previously determined not to be feasible would in fact be feasible, or which are considerably different from those recommended in the 1998 MND, and which would substantially reduce significant effects of the project, but the project applicant declines to adopt them. Thus, in considering approval of the amendment to the previously approved 1998 Master Plan, the City can rely on the previously adopted 1998 MND and an addendum to the previously adopted 1998 MND is appropriate.

Although the City can rely on the previously adopted 1998 MND for the reasons stated above, and thus an addendum to the previously adopted 1998 MND is the appropriate CEQA document, as an alternative separate and independent basis, the Planning Commission also found the adoption of a Subsequent Mitigated Negative Declaration (SMND) met the requirements of CEQA.

This Notice of Determination also advises that on April 28, 2011, the Public Works Agency of the City of Oakland approved a tree removal permit for phase one of the project. In approving the tree removal permit, the Public Works Agency, based upon its independent review, consideration, and the exercise of its independent judgment, relied upon, and adopted, the Planning Commission's CEQA-related findings for the project as outlined above.


ERIC ANGSTADT

Deputy Director, Community and Economic Development Agency
Environmental Review Officer